

REMARKS

Applicant submits this Amendment in response to the Office Action mailed January 11, 2005. Applicant has amended claims 1, 9, 23, 31, 32, 38, 40, 41, 47, 50, 62 and 63. Claims 1-76 are pending. No new matter has been added.

Applicant thanks the Examiner for the indication in paragraph 4 of the Office Action that claims 2-3, 5-6, 8, 10-14, 16-46, 48-51 and 58-76 would be allowable if rewritten in independent form (and if certain informalities are addressed).

In paragraph 1 of the Office Action, the Examiner has objected to claims 1, 9, 23, 38, 40, 41, 47 and 62 (and claims 2-8, 10-46 and 48-76 due to dependency) due to various informalities. In paragraphs 2-3 of the Office Action, the Examiner has rejected claims 1, 4, 7, 9, 15, 47 and 52-57 under 35 U.S.C. § 103 as unpatentable over U.S. Patent No. 6,614,781 to Elliott et al. ("Elliott"). Applicant traverses these objections and rejections, as discussed further below.

The Examiner has objected to claims 1, 9, 23, 38, 40, 41, 47 and 62 (and claims 2-8, 10-46 and 48-76 due to dependency) due to various informalities. Applicant has amended the claims to correct these informalities as suggested by the Examiner in the Office Action (as well as others identified by Applicant in reviewing the application). Applicant therefore respectfully requests that the objections be withdrawn.

The Examiner has rejected claims 1, 4, 7, 9, 15, 47 and 52-57 under 35 U.S.C. § 103(a) as unpatentable over Elliott. Elliott describes a voice over IP network architecture using "soft switch" sites. (Elliott, col. 18, lines 6-11.) The soft switch sites described in Elliott include a softswitch, an SS7 Gateway, and a signal transfer point (STP). (Elliott, col. 24, lines 34-38.) The softswitch provides the call processing functions of the network. (Elliott, col. 30, lines 18-20.) The SS7 gateway receives SS7 ISUP messages from an SS7 control network and transfers them to the softswitch, and receives signaling messages from the softswitch and sends out SS7 ISUP messages over the SS7 network. (Elliott, col. 33, lines 7-14.) The STPs interface with the SS7 Gateways at soft switch sites to receive and route incoming signaling messages. (Elliott, col. 37, lines 23-28.) Elliott describes the STPs as having a "gateway screening software feature" which can be performed "on all in-bound messages from another network" or all "outgoing network management messages." (Elliott, col. 39, lines 13-19.) The screen software can "accommodate up to 2,000 condition statements (rules)." (Elliott, col. 39, lines 15-18.) However, Elliott does not describe how such screening is applied, and specifically does not describe screening to determine whether control messages are proper, much less contextually proper.

The Examiner asserts that Elliott discloses a "signaling system monitor configured to determine if said control data messages are proper" based on the presence of the gateway screening software in the STPs described in Elliott. (Office Action, p. 3-4.) The Examiner contends that "it would have been obvious to a person of ordinary skill in the art at the time of the invention that said system monitor would have been capable of performing as a system security monitor

due to its capability to screen received messages and determine whether those messages are proper messages using said screening software.” (Office Action, p. 4.) Applicant respectfully disagrees, as there is no teaching in Elliott or otherwise identified by the Examiner to modify the system described in Elliott to determine whether control data messages are contextually proper. Indeed, the Examiner admits that Elliott does not “specifically disclose said system monitor being a system security monitor,” (Office Action, p. 4), and Applicant would further state that Elliott does not describe any specific security monitoring activity, including any description of security monitoring based on whether a control message is contextually proper.

In contrast to Elliott, claims 1 and 9 each recite a communication network that includes “a signaling system security monitor, separate from the central office switching systems, said signaling system security monitor configured to determine if said control data messages are contextually proper.” As noted above, Elliott neither teaches nor suggests a signaling system security monitor configured to determine if control data messages are contextually proper. For at least this reason, Applicant believes claims 1 and 9 to be patentable over Elliott, and respectfully requests that the Examiner withdraw the rejections as to claims 1 and 9. As claims 4, 7, and 15 are dependent on one of claims 1 or 9, and therefore include all of the limitations of claims 1 or 9, these dependent claims are patentable over Elliott for at least the same reasons as claims 1 and 9. As a result, Applicant respectfully requests that the Examiner withdraw the rejections of claims 4, 7 and 15 as well.

In further contrast to Elliott, claim 47 recites a method that includes “interpreting said control data messages to determine whether it is appropriate with respect to a destination point code of said control data messages and, in response, determining if said control data messages are contextually proper.” As noted above, Elliott neither teaches nor suggests interpreting control data messages to determine whether control data messages are contextually proper. For at least this reason, Applicant believes claim 47 to be patentable over Elliott, and respectfully requests that the Examiner withdraw the rejection as to claim 47. As claims 52-57 are dependent on claim 47, and therefore include all of the limitations of claim 47, these dependent claims are patentable over Elliott for at least the same reasons as claim 47. As a result, Applicant respectfully requests that the Examiner withdraw the rejections of claims 52-57 as well.¹

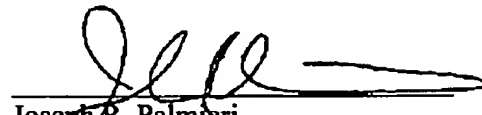
In view of the foregoing, Applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, Applicant requests that the Examiner pass this application to issue. If there are any outstanding issues which need to be resolved to place the application in condition for allowance, the Examiner is invited to contact Applicant’s undersigned representative by phone at the number indicated below to discuss such issues. To the extent necessary a petition

¹ As Applicant’s remarks with respect to the base independent claims are sufficient to overcome the Examiner’s rejections of all claims dependent therefrom, Applicant’s silence as to the Examiner’s assertions with respect to dependent claims is not a concession by Applicant to the Examiner’s assertions as to these claims, and Applicant reserves the right to analyze and dispute such assertions in the future. Likewise, as Applicant’s remarks with respect to rejections based on alleged prior art are sufficient to overcome the Examiner’s rejections, Applicant’s silence as to certain requirements applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references) is not a concession by Applicant that such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.

for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to deposit account 07-2347.

Respectfully submitted,

April 7, 2005


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